

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

FILED
MAY 16 2008
[Signature]
CLERK

No: 07-2430

Tri-State Financial, LLC,

Appellant

v.

John S. Lovald; Murphy Brothers,

Appellees

No: 07-2433

Tri-State Financial, LLC,

Appellant

v.

Robert E. Hayes; Davenport,
Evans, Hurwitz & Smith,

Appellees

Appeal from U.S. District Court for the District of South Dakota
(1:06-cv-01040-CBK)
(1:07-cv-01003-CBK)

JUDGMENT

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

May 13, 2008

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans